

**Superior Town Council
Town Council Meeting**

**Thursday, March 20, 2008
Superior Senior Center
Superior, Arizona**

M_I_N_U_T_E_S

A. Call to Order

Mayor Hing called the meeting to order at 7:05 p.m.

B. Salute to the Flag

Mayor Hing led the council, staff and audience in the pledge.

C. Opening Prayer

Mayor Hing led the Town Council, Staff and audience in an opening prayer.

D. Roll Call

Members Present: Councilmember Cervantes, Second Vice Mayor Lopez, Mayor Hing, Councilmember Heglie, First Vice Mayor Valenzuela,

Members Absent: Councilmember Marquez, Councilmember Peralta

A quorum was present and the meeting continued.

E. Consent Agenda

Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were:

Approval of Minutes for March 6th and March 13th 2008
Disbursements for the month of February
Blanket Permit request from Yolanda Navarro to benefit David Corral

First Vice Mayor made a motion to accept the consent agenda. Councilmember Heglie seconded the motion. Mayor Hing announced he abstained from approving check #1381 because it was made out to his business. The motion passed unanimously.

F. Communication

Managers Report – Ms. Cordova

Ms. Cordova explained that she had included a copy of her managers report she also explained that she has been working on the elections and that both precincts will vote at the St. Mary Center. She also explained the council would need to appoint a board of appeals to assist with the code enforcement procedures to allow for appeals to the citations issued if necessary.

She also stated that she issued a memo to staff informing them that Ms. Oliver would be taking over as the town manager and they should report to her. She also encouraged council to send members of the planning and zoning to a training on land use and zoning codes sponsored by the League of Arizona Cities and Towns. She also stated that there are two positions open at town hall one for Town Clerk and one for Finance Director. She stated that the finance director position closed.

Call to the Public

Mayor Hing announced the call to the public. He explained that anyone wishing to speak now could only speak directly to the Council and only for items not on the current agenda.

Curt Williams –expressed his concerns over how Wildan conducts business in Superior. He wanted to know why they are not expected to meet their timelines. He also asked why the town has not tried to remedy this situation.

Eileen Bertie – expressed her concern about open air preaching and how recent open air preaching could be heard inside her home. She explained that she was not against it but did think there should be some regulation to the open air preaching. She stated that some of the Christian rapping she heard did not sound very good and she was forced to turn up her window. She also said that the pastor in charge of the preaching said he was targeting a certain house because they participate in a lot of drugs and parties.

Jim Gilbert – Explained that two years ago he brought this up to the town regarding the noise ordinance and how the Catholic Church hosts their fiesta and it makes a lot of noise more than the street preaching. He explained that one group should not be allowed over another.

Public Hearing – motion to go into public hearing.

Councilmember Heglie made a motion to move into the public hearing. First Vice Mayor Valenzuela seconded the motion. The motion passed unanimously. Council moved into public hearing at 7:20 p.m.

Ms. Cordova explained that this public hearing was to make changes to the scope of work for the 2006 CDBG project for the landscaping to the swimming pool. Mayor Hing stated that originally the council thought it was just basic improvements and could do as they see fit however the contract lists items specifically

The council discussed that they needed a retention basin for the pool and they would also like to see a skate park be put in that area. Mayor Hing explained that he saw the US 60 park becoming more of a tourist attraction and thought it would be nice to add more park activities to the pool area for local residents to use.

Ms. Scholfield from CAAG stated that the council had \$124,431.00 to spend on this project. Mayor Hing opened the hearing to public comments.

Ms. Rabago 533 Hill St. – explained that she had tried to look at photos of the proposed skate park at town hall and asked for pricing but was not given the information.

Kathy Long – 653 Brown – Stated that there are over 25 kids who skate at the temporary skate park. She explained that these kids have worked to maintain and build the ramps along with their parents. She stated that the kids are looking to buy the professional ramps vs building new ramps.

Mr. Williams 96 Lobb Ave – stated that this project was a worthy endeavor but he had no idea what the cost of the project would be or how much it would cost to design a park like this. He referenced the high cost of concrete.

Mr. Pffol 224 Hing – wanted to know what the date of the quotes were and wanted to know what the priority list was for enhancing the pool area.

Mayor Hing stated that the town received the quotes two months ago and the priorities were adding ramadas, BBQs, benches.

Ms. Rabago 553 Hill St. – asked if the town could use prison labor and volunteers to build the skate park. She explained the importance of having a skate park for the kids. She also wanted to know when the council would make a decision on amending the 2006 CDBG contract.

Mayor Hing - stated that the council would hear the comments from the public and then would vote on changes at the next council meeting. He also stated that the design of this park would allow for the drainage basin to be done.

Mr. Gilbert – Expressed his concerns that the town should put the money towards a program that would benefit more than 25 children. He explained that the town needed to develop more recreational opportunities for the residents of Superior. He stated that he would like to see the pool completed. He also stated that the skateboarding ordinance has not stopped the skateboarders from skating on Main and Magma and the police are not enforcing the ordinance.

Ms. Brothers – 124 Lime St. Thanked Ms. Cordova for assisting the skateboarders to find a temporary skate park. She explained that the skaters are working together to maintain the park and some of the parents have even purchased additional skate boards for kids who don't have them but want to skate. She said that she agrees the town needs more recreation for kids and it would be nice to see more

parents get involved with their kids programs.

Mr. Green – stated that the town should compare prices on building the park. He also stated that the town should look into building two skate parks one on the north side of town and one on the south side of town.

Ms. Anderson - stated that the town should build a skate park. She commended the youth who have been raising money and working on the skate park. She also explained that adding this to the pool area would help to create a family recreation center and eventually she would like to see a BMX park near the pool area.

Mayor Hing asked the council to publically rank their selections

Councilmember Heglie

Skate park
Drainage
Landscaping for pool area

Councilmember Cervantes

Skate Park
Drainage

Councilmember Cervantes also stressed that he would like to see the town use the inmate labor and volunteers to get most of this work done.

Second Vice Mayor Lopez

Skateboard Park
Drainage

First Vice Mayor Valenzuela

Skate park
Drainage

Mayor Hing

Skate Park
Drainage

Arguments for or against the one time override election:

Jim Gilbert – Asked if the towns books have been balanced and how can the town determine what they need to spend if the books have not been balanced. He suggested that the books be balanced monthly and audited quarterly.

Mayor Hing - stated that if the override election did not pass the town would be forced to operate at the amount set by the state and the town would have to cut services and programs just to operate the basic essential services. He stated that this election would not increase the taxes on the community

Curt Williams – Asked what the 2007 budget figured out at how much was the town over in spending from the state required amount.

Sue Anderson – stated that based on the information presented it was the responsible thing to do to vote in support of the override election.

Mayor Hing announced that the council could not open the public hearing for agenda item H-2 Regarding the CDBG 2008 scope of work and type of project because it was not advertised correctly.

Councilmember Heglie made a motion to close the public hearing. Councilmember Cervantes seconded the motion. The public hearing closed at 7:50p.m.

Business

Possible Discussion and/or action on the following

Discuss/Approve/Reject Support to Crime Free Superior Group: Police Explorers – David Pfohl

Mr. Pfohl presented a video on the police explorers program. The program is designed to create a program for youth in the community to explore police service. He explained that the crime free committee would like to start this program in Superior. He explained that it would cost \$20 to charter the organization and it would be \$8.75 for each youth participant. Mr. Pfohl and the council reviewed the staffing requirement from the police department as well as what the

additional costs would be. Chief Lou explained that the department is in support of the program and there is an officer on duty who already has experience in the police explorer program and that Mr. Hatch the school principal is in favor of starting this program.

Mr. Gilbert announced that he would pay for the Charter costs and the first 20 participants. He encouraged the council to support this project.

Council directed staff to bring more information regarding meeting logistics and budget for the program. No action was taken.

Discuss/Approve/Reject Blanket Permit for Apostolic Assembly Superior: ratification of use of megaphone – Mayor Hing

Mayor Hing explained that a blanket permit was issued to the Apostolic Assembly to allow them to do street preaching with a mega phone. He explained the town hall had received several complaints about the noise. Several comments were made by community members in attendance both in favor and against the megaphone being used in the neighborhoods. Several residents requested that they not be allowed to use the megaphones in the neighborhoods only regular voices. Other community member stated that then the Church Fiestas or other community functions should not be allowed to use amplifiers or megaphones.

Pastor Vasquez stated that they only do the preaching from 4pm to 7pm and stated that if he is confronted by residents for his preaching he leaves the area and does not invite conflict.

Discussion followed regarding the options that the council had regarding this item. First Vice mayor Valenzuela stated that by changing the permit would open a can of worms and that this is a small town and everyone needs to try to get a long.

Mayor Hing made a motion to leave the permit as written. First Vice Mayor Valenzuela seconded the motion. The motion passed unanimously

Discuss/Approve/Reject Contract Amendment 0006-655 Amendment No. 6 for Pinal Gila Council of Senior Citizens

Ms. Long explained that this contract amendment actually increased the rate per Senior Meal by forty one cents. She explained this increased the monies the center received for ALTECS meals and the price of the meals to seniors would not increase. She also reported that the center received a grant for \$14,706 to replace the freezers and upgrade other appliances in the in the Senior Center kitchen.

First Vice Mayor Valenzuela made a motion to approve the contract amendment. Second Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject ratification of 2008 Arizona Library Services Technology Act Grant

Ms. Campos explained that she had applied for a grant that would help pay for new lap tops and would also provide funds for a trainer for computer education. She explained that if the grant is accepted the library would find our in May and funds would be received in June. She stated that the main goal of the grant for Superior was to provide basic computer training for the residents. She stated that she has been partnering with the Pinal County Library, Wi-Vod and the Superior Chamber of Commerce to support this grant opportunity. Councilmember Heglie made a motion to ratify the grant application. Second Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Resolution 475. A Resolution of the Mayor and council of the Town of Superior, Arizona declaring as a public record that certain document filled with the Town Clerk and entitled The 2008 amendments to the tax Code of the Town of Superior.” – Rosie Cordova

Ms. Cordova explained that this resolution was a resolution proposed by the League of Arizona Cities and Towns that provided the tax code for cities across the state of Arizona. Mr. Beers reported that communities across the state adopt this code because the Legislature wanted to create a uniform tax code that they would create several years ago. He stated the cities and towns decided to create this code to keep the legislature from creating the code. He explained that he did not recommend not passing the resolution. Comments from the public followed regarding how this tax code would affect the real estate and remodeling business and how those taxes should be paid. Other questions were raised on how quickly this resolution needed to be passed and if it is in the best interest of the community. Second Vice Mayor Lopez made a motion to table this resolution until further research could be done on the resolution and its implications. Councilmember Cervantes seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Ordinance No. 100. An Ordinance of the Town of Superior, Arizona relating to the privilege licenses tax; adopting "the 2008 Amendments to the Tax Code of the Town of Superior" by reference; establishing an effective date; providing for severability and providing penalties for violations – Rosie Cordova

Mayor Hing announced that this item would need to be tabled because item 5 was tabled and the adoption of the ordinance could not happen until the resolution was accepted. Second Vice Mayor Lopez made a motion to table this item. Councilmember Heglie seconded the motion. The motion passed unanimously.

Council Comments

Councilmember Peralta

Absent – No Comments

Councilmember Heglie

Wished everyone a Happy Easter and to enjoy the upcoming festival.

Councilmember Cervantes

No Comments

Councilmember Marquez

Absent – No Comments

Second Vice Mayor Lopez

Wished everyone a Happy and Safe Easter and to enjoy the Apache Leap festival.

First Vice Mayor Valenzuela

Stated that he agrees with Mr. Gilbert that the town does need to provide more recreation, he also reported that he was disappointed that the town did not receive the Diamondbacks grant this year. He also stated that he has had complaints from residents who have received notices on code enforcement that the Town does not keep up their own codes. He also wished everyone a safe and happy Easter and Apache Leap Days. He also reminded everyone to lets all get along.

Mayor Hing

Stated that he agreed with everyone's comments and wished everyone a safe and happy Easter Weekend.

Mayor Hing announced that there would be an executive session. Councilmember Heglie made a motion to move into executive session. Second Vice Mayor Lopez seconded the motion. The council then moved into executive session at 8:45pm.

J. Executive Session

The Town Council may or may not vote to go into Executive Session pursuant to ARS 38-431.03 (A-1), (A-3) & (A-7)

(A-1) – Personnel

(A-3) – Legal Advice with Attorney

(A-7) – Legal Advice on Sale, Lease, or Purchase of Real Property:

Discuss/Approve/Reject Release of Claims Agreement between the Town of Superior and Rosie Cordova

K. In Public Session

Discuss/Approve/Reject Release of Claims Agreement between the Town of Superior and Rosie Cordova

Councilmember Heglie made a motion to approve the settlement between the Town of Superior and Rosie Cordova. Second Vice Lopez seconded the motion. The motion passed unanimously.

Adjournment

Councilmember Heglie made a motion to adjourn the meeting. Councilmember Cervantes seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:00 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Superior held on the 20thDay of March 2008. I further certify that the meeting was duly called and held and that a quorum was present.

/s/

Rosie Cordova _____
Rosie Cordova
Town Manager/Clerk

These minutes have been transcribed and compiled by
Mila Lira
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